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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JOHN ARMSTRONG, et al.,

Plaintiff,

v.

EDMUND G. BROWN, JR., et al.,

Defendant.

Case No. C94 2307 CW

**~~PROPOSED~~ STIPULATED ORDER  
CONFIRMING UNDISPUTED  
ATTORNEYS' FEES AND COSTS  
FOR THE THIRD QUARTER OF 2017**

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs  
2 are to collect periodic attorneys' fees and costs in this case in connection with their work  
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on October 27, 2017, Plaintiffs served on Defendants  
5 their Second Quarterly Statement for 2017 by overnight delivery. The parties completed  
6 their meet-and-confer process on December 18, 2017 as to the fees and costs incurred on  
7 all matters.

8 As a result of the December 18, 2017 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,262,843.52 to resolve all fees and costs  
10 incurred during the Third Quarter of 2017, for monitoring and/or litigation activities in the  
11 California Department of Corrections of Rehabilitation Division of Adult Operations and  
12 Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are  
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
14 the parties to settle these claims.

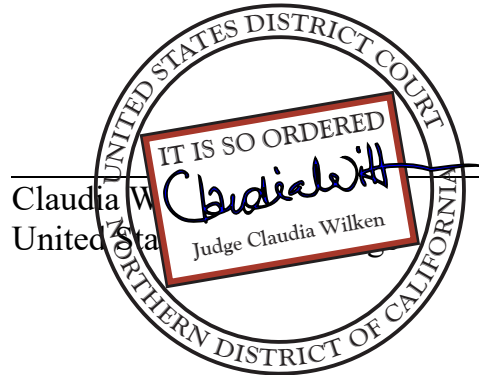
15 The parties agree to the payment of \$38,686.93 to resolve all fees and costs incurred  
16 during the Third Quarter of 2017, for monitoring and/or litigation activities in the Board of  
17 Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts setting  
18 forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to  
19 settle these claims.

20 The parties agree to the payment of \$185,734.63 to resolve all fees and costs  
21 incurred during the Third Quarter of 2017, for monitoring and/or litigation activities in the  
22 Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as  
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$13,386.76 to resolve all fees and costs incurred  
26 during the Third Quarter of 2017, for fees work. Attached hereto as **Exhibit D** are charts  
27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
28 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and  
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees  
3 and costs will run from November 27, 2017, accruing at the rate provided by 28 U.S.C.  
4 § 1961.

5  
6 DATED: December 19, 2017



7  
8  
9 APPROVED AS TO FORM:

10  
11 DATED: December 18, 2017

/s/Bryan Kao

Bryan Kao  
Deputy Attorney General  
Attorney for Defendants

12  
13  
14 DATED: December 18, 2017

/s/Gay Crosthwait Grunfeld

Gay Crosthwait Grunfeld  
Rosen Bien Galvan & Grunfeld LLP  
Attorney for Plaintiffs

# **EXHIBIT A**

**Armstrong v. Brown**

**Third Quarterly Statement of 2017**

**July 1, 2017 through September 30, 2017**

**CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
CDCR/AOAP MONITORING	\$1,232,026.56	\$30,816.96
	<b>TOTAL CLAIMED:</b>	<b>\$1,262,843.52</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2017  
 July 1, 2017 through September 30, 2017  
 Matter: CDCR/AOAP Monitoring/Merits

**Monitoring (581-3)**

	Actual	Claimed	2017		Fees Now Owing
	Hours	Hours	Rates	Total Claimed	Based on Negotiated Compromise
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	4.90	4.90	\$950	\$4,655.00	\$4,468.80
Gay C. Grunfeld (GCG)	29.40	29.20	\$825	\$24,090.00	\$23,126.40
Penny Godbold (PG)	217.90	216.40	\$675	\$146,070.00	\$140,227.20
Thomas Nolan (TN)	137.70	136.70	\$700	\$95,690.00	\$91,862.40
Lisa Ellis (LAE)	0.20	0.00	\$650	\$0.00	\$0.00
Michael L. Freedman (MLF)	128.30	123.90	\$575	\$71,242.50	\$68,392.80
Ben Bien-Kahn (BBK)	116.40	114.60	\$515	\$59,019.00	\$56,658.24
Krista Stone-Manista (KSM)	13.20	9.50	\$515	\$4,892.50	\$4,696.80
Jenny Yelin (JY)	40.50	37.10	\$500	\$18,550.00	\$17,808.00
Kara J. Janssen (KJJ)	2.80	0.00	\$500	\$0.00	\$0.00
Christopher D. Hu (CDH)	35.40	35.10	\$425	\$14,917.50	\$14,320.80
Karen Stilber (KES)	111.40	104.90	\$325	\$34,092.50	\$32,728.80
Linda Woo (LHW)	18.90	18.90	\$325	\$6,142.50	\$5,896.80
F. Gail LaPurja (FGL)	0.20	0.00	\$275	\$0.00	\$0.00
Greg Gonzalez (GZG)	27.60	25.10	\$275	\$6,902.50	\$6,626.40
Katherine Hamilton (KCH)	251.60	230.30	\$240	\$55,272.00	\$53,061.12
Dylan Verner-Crist (DVC)	9.00	8.30	\$240	\$1,992.00	\$1,912.32
Charlotte Landes (CJL)	11.30	10.70	\$240	\$2,568.00	\$2,465.28
Maisy H. Sylvan (MHS)	53.30	33.70	\$225	\$7,582.50	\$7,279.20
Nathalie Welch (NW)	108.70	63.70	\$240	\$15,288.00	\$14,676.48
Hanna Wallace (HW)	404.60	353.60	\$225	\$79,560.00	\$76,377.60
<b>Total Hours:</b>	<b>1,723.30</b>	<b>1,556.60</b>		<b>\$648,526.50</b>	<b>\$622,585.44</b>
<b>RBGG FEES:</b>					
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	33.60	33.60	\$950	\$31,920.00	\$30,643.20
Sara Norman (SN)	67.60	67.60	\$790	\$53,404.00	\$51,267.84
Corene Kendrick (CK)	110.20	110.20	\$675	\$74,385.00	\$71,409.60
Rita Lomio (RL)	299.50	299.50	\$595	\$178,202.50	\$171,074.40
Margot Mendelson (MM)	10.90	10.90	\$500	\$5,450.00	\$5,232.00
Sia N. Henry (SNH)	28.90	28.90	\$425	\$12,282.50	\$11,791.20
Amber Norris (AN)	234.60	234.60	\$325	\$76,245.00	\$73,195.20
Joseph E. Bear (JEB)	72.80	72.80	\$250	\$18,200.00	\$17,472.00
Meg O'Neill (MO)	56.80	56.80	\$250	\$14,200.00	\$13,632.00
Megan Lynch (ML)	171.90	171.90	\$315	\$54,148.50	\$51,982.56
Ehsan Sadeghi (ES)	155.50	155.50	\$250	\$38,875.00	\$37,320.00
Molly Petchenik (MP)	107.30	107.30	\$250	\$26,825.00	\$25,752.00
Briana Zweifler (BZ)	102.10	102.10	\$250	\$25,525.00	\$24,504.00
Tania Amarillas (TA)	69.70	69.70	\$250	\$17,425.00	\$16,728.00
Sarah Hopkins	29.80	29.80	\$250	\$7,450.00	\$7,152.00
<b>Total Hours:</b>	<b>1,551.20</b>	<b>1,551.20</b>		<b>\$634,537.50</b>	<b>\$609,156.00</b>
<b>PLO FEES:</b>					
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Case Clerk	1.80	1.80	\$165	\$297.00	\$285.12
<b>Total Hours:</b>	<b>1.80</b>	<b>1.80</b>		<b>\$297.00</b>	<b>\$285.12</b>
<b>DREDF FEES:</b>					
<b>TOTAL CDCR/AOAP MONITORING FEES:</b>					
				<b>\$1,283,361.00</b>	<b>\$1,232,026.56</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2017  
 July 1, 2017 through September 30, 2017

**Costs*****Matter: CDCR/AOAP Merits/Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-3)**

	<b>Costs</b>	<b>Costs Now Owing Based on Negotiated Compromise</b>
Photocopying (In house)	\$3,324.00	\$3,191.04
Photocopying/printing (Outside)	\$800.91	\$768.87
Online Research - PACER, Westlaw	\$3.57	\$3.43
Postage & Delivery	\$434.19	\$416.82
Travel - Mileage, Tolls, Food	\$7,778.05	\$7,466.93
<b>Total RBGG Costs:</b>	<b>\$12,340.72</b>	<b>\$11,847.09</b>

**Prison Law Office**

Photocopying (In house)	\$249.92	\$239.92
Translation services	\$719.98	\$691.18
Travel - Mileage, Tolls, Food	\$17,242.01	\$16,552.33
Postage & Delivery	\$1,460.47	\$1,402.05
<b>Total PLO Costs:</b>	<b>\$19,672.38</b>	<b>\$18,885.48</b>

**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)	\$60.60	\$58.18
Postage & Delivery	\$27.30	\$26.21
<b>Total DREDF Costs:</b>	<b>\$87.90</b>	<b>\$84.38</b>

<b>TOTAL CLAIMED CDCR/AOAP MERITS/MONITORING COSTS:</b>	<b>\$32,101.00</b>	<b>\$30,816.96</b>
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# **EXHIBIT B**



**Armstrong v. Brown**

Third Quarterly Statement of 2017

July 1, 2017 through September 30, 2017

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
BPH	\$38,044.32	\$642.61
	<b>TOTAL UNDISPUTED:</b>	<b>\$38,686.93</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2017  
 July 1, 2017 through September 30, 2017  
**Matter: BPH**

<b><u>BPH (581-4)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2017</b>		<b>Fees Now Owing</b>
	<b>Hours</b>	<b>Hours</b>	<b>Rates</b>	<b>Total Claimed</b>	<b>Based on Negotiated Compromise</b>
<b><u>BPH MONITORING (581-4)</u></b>					
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	1.50	1.50	\$825	\$1,237.50	\$1,188.00
Thomas Nolan (TN)	27.50	27.50	\$700	\$19,250.00	\$18,480.00
Penny Godbold (PG)	0.30	0.00	\$675	\$0.00	\$0.00
Michael L. Freedman (MLF)	1.00	0.00	\$575	\$0.00	\$0.00
Benjamin Bien-Kahn (BBK)	0.10	0.00	\$515	\$0.00	\$0.00
Katherine Hamilton (KCH)	3.80	3.50	\$240	\$840.00	\$806.40
<b>Total Hours:</b>	<b>34.20</b>	<b>32.50</b>			
<b>RBGG FEES:</b>				<b>\$21,327.50</b>	<b>\$20,474.40</b>
<b><u>PRISON LAW OFFICE</u></b>					
Sara Norman (SN)	7.50	7.50	\$790	\$5,925.00	\$5,688.00
Rana Anabtawi (RA)	13.80	13.80	\$515	\$7,107.00	\$6,822.72
Mae Ackerman-Brimberg (MAB)	12.40	12.40	\$425	\$5,270.00	\$5,059.20
<b>Total Hours:</b>	<b>33.70</b>	<b>33.70</b>			
<b>PLO FEES:</b>				<b>\$18,302.00</b>	<b>\$17,569.92</b>
<b>TOTAL FEES FOR BPH WORK:</b>				<b>\$39,629.50</b>	<b>\$38,044.32</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2017  
 July 1, 2017 through September 30, 2017

**Costs****Matter: BPH**

	Costs	Costs Now Owing Based on Negotiated Compromise
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-4)</u></b>		
Photocopying (In house)	\$65.80	\$63.17
Westlaw research	\$2.13	\$2.04
Travel - Mileage, Tolls, Food	\$287.21	\$275.72
<b>Total RBGG Costs:</b>	<b>\$355.14</b>	<b>\$340.93</b>
 <b><u>Prison Law Office</u></b>		
Travel - Mileage, Tolls, Food	\$314.25	\$301.68
<b>Total PLO Costs:</b>	<b>\$314.25</b>	<b>\$301.68</b>
 <b>TOTAL CLAIMED BPH COSTS:</b>	<b>\$669.39</b>	<b>\$642.61</b>

# **EXHIBIT C**

**Armstrong v. Brown**  
**Third Quarterly Statement of 2017**  
**July 1, 2017 through September 30, 2017**

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COST</u></b>
DAPO MONITORING	\$181,206.72	\$4,527.91
	<b>TOTAL UNDISPUTED:</b>	<b>\$185,734.63</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2017  
 July 1, 2017 through September 30, 2017

**Matter: DAPO Monitoring****DAPO Monitoring (581-9)**

	Actual	Claimed	2017		Fees Now Owing
	Hours	Hours	Rates	Total Claimed	Based on Negotiated Compromise
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	3.50	3.50	\$950	\$3,325.00	\$3,192.00
Gay C. Grunfeld (GCG)	21.90	21.80	\$825	\$17,985.00	\$17,265.60
Ernest Galvan (EG)	1.90	1.90	\$780	\$1,482.00	\$1,422.72
Penny Godbold (PG)	61.70	60.50	\$675	\$40,837.50	\$39,204.00
Thomas Nolan (TN)	32.50	28.50	\$700	\$19,950.00	\$19,152.00
Michael L. Freedman (MLF)	41.70	41.30	\$575	\$23,747.50	\$22,797.60
Benjamin Bien-Kahn (BBK)	23.40	23.30	\$515	\$11,999.50	\$11,519.52
Krista Stone-Manista (KSM)	1.70	0.00	\$515	\$0.00	\$0.00
Jenny S. Yelin (JSY)	41.50	39.00	\$500	\$19,500.00	\$18,720.00
Kara J. Janssen (KJJ)	0.60	0.00	\$500	\$0.00	\$0.00
Christopher Hu (CDH)	5.10	5.10	\$425	\$2,167.50	\$2,080.80
Karen Stilber (KES)	6.90	6.90	\$325	\$2,242.50	\$2,152.80
F. Gail LaPurja (FGL)	10.50	9.90	\$275	\$2,722.50	\$2,613.60
Daniel H. Galindo (DG)	48.40	22.80	\$275	\$6,270.00	\$6,019.20
Katherine Hamilton (KCH)	30.70	30.20	\$240	\$7,248.00	\$6,958.08
Fely Villadelgado (FFV)	0.40	0.00	\$275	\$0.00	\$0.00
Nathalie Welch (NCW)	162.50	122.00	\$240	\$29,280.00	\$28,108.80
Hanna Wallace (HW)	5.50	0.00	\$225	\$0.00	\$0.00
<b>Total Hours:</b>	<b>500.40</b>	<b>416.70</b>			
<b>RBGG FEES:</b>				<b>\$188,757.00</b>	<b>\$181,206.72</b>
<b>TOTAL FOR DAPO MONITORING WORK:</b>				<b>\$188,757.00</b>	<b>\$181,206.72</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2017  
 July 1, 2017 through September 30, 2017

**Costs*****Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	<b>Costs</b>	<b>Costs Now Owing Based on Negotiated Compromise</b>
Photocopying (in-house)	\$1,516.00	\$1,455.36
Photocopying (outside)	\$162.47	\$155.97
Westlaw	\$693.30	\$665.57
Inhouse Postage	\$356.60	\$342.34
Travel - Mileage, Tolls, Food	\$1,988.20	\$1,908.67
<b>Total RBGG Costs:</b>	<b>\$4,716.57</b>	<b>\$4,527.91</b>
<b>TOTAL CLAIMED DAPO MONITORING COSTS:</b>	<b>\$4,716.57</b>	<b>\$4,527.91</b>

# **EXHIBIT D**



**Armstrong v. Brown**  
**Third Quarterly Statement of 2017**  
**July 1, 2017 through September 30, 2017**

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$13,254.72	\$132.04
<b>TOTAL UNDISPUTED:</b>		<b>\$13,386.76</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2017

July 1, 2017 through September 30, 2017

***Matter: All Matters Fees Work***

<b><u>Fees (581-2)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2017</b>		<b>Fees Now Owing Based on Negotiated Compromise</b>
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Total Claimed</u></b>	
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	8.70	8.70	\$825	\$7,177.50	\$6,890.40
Karen E. Stilber (KES)	14.80	14.80	\$325	\$4,810.00	\$4,617.60
Hanna N. Wallace (HNW)	0.70	0.00	\$225	\$0.00	\$0.00
<b>Total Hours:</b>	<b>24.20</b>	<b>23.50</b>			
<b>RBGG FEES:</b>				<b>\$11,987.50</b>	<b>\$11,508.00</b>
<b><u>PRISON LAW OFFICE</u></b>					
Rita Lomio (RL)	1.00	1.00	\$595	\$595.00	\$571.20
Ashley Kirby (AK)	4.9	4.9	\$200	\$980.00	\$940.80
<b>Total Hours:</b>	<b>5.90</b>	<b>5.90</b>			
<b>PLO FEES:</b>				<b>\$1,575.00</b>	<b>\$1,512.00</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.30	0.30	\$815	\$244.50	\$234.72
<b>Total Hours:</b>	<b>0.30</b>	<b>0.30</b>			
<b>DREDF FEES:</b>				<b>\$244.50</b>	<b>\$234.72</b>
<b>TOTAL FEES FOR ARMSTRONG FEES WORK:</b>				<b>\$13,807.00</b>	<b>\$13,254.72</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2017  
 July 1, 2017 through September 30, 2017

**Costs*****Matter: Fees Work in All Matters*****Rosen, Bien, Galvan & Grunfeld (581-2)**

	<b>Costs</b>	<b>Costs Now Owing Based on Negotiated Compromise</b>
Photocopying and Printing (in-house)	\$101.60	\$97.54
Postage & Delivery	\$30.34	\$29.13
<b>Total RBGG Costs:</b>	<b>\$131.94</b>	<b>\$126.66</b>

**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)	\$5.60	\$5.38
<b>Total DREDF Costs:</b>	<b>\$5.60</b>	<b>\$5.38</b>

<b>TOTAL CLAIMED FEES WORK COSTS :</b>	<b>\$137.54</b>	<b>\$132.04</b>
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